

Senate File 2248

S-5060

1 Amend Senate File 2248 as follows:

2 1. By striking page 1, line 3, through page 6, line
3 25, and inserting:

4 <Sec. _____. Section 321.1, Code 2016, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 06A. "*Autocycle*" means a
7 three-wheeled motor vehicle originally designed with
8 two front wheels and one rear wheel, a steering wheel
9 rather than handlebars, no more than two permanent
10 seats that do not require the operator or a passenger
11 to straddle or sit astride the vehicle, and foot
12 pedals that control the brakes, acceleration, and
13 clutch, where applicable. A motor vehicle meeting the
14 definition of "*autocycle*" is an autocycle even if the
15 vehicle bears a vehicle identification number, or is
16 accompanied by a manufacturer's certificate of origin,
17 that identifies the vehicle as a motorcycle.

18 Sec. _____. Section 321.1, subsection 40, paragraph
19 a, Code 2016, is amended to read as follows:

20 a. "*Motorcycle*" means every motor vehicle having a
21 saddle or seat for the use of the rider and designed to
22 travel on not more than three wheels in contact with
23 the ground including a motor scooter but excluding a
24 tractor, an autocycle, and a motorized bicycle.

25 Sec. _____. Section 321.34, subsection 1, Code 2016,
26 is amended to read as follows:

27 1. *Plates issued.* The county treasurer upon
28 receiving application, accompanied by proper fee, for
29 registration of a vehicle shall issue to the owner one
30 registration plate for a motorcycle, motorized bicycle,
31 autocycle, truck tractor, trailer, or semitrailer and
32 two registration plates for every other motor vehicle.
33 The registration plates, including special registration
34 plates, shall be assigned to the owner of a vehicle.
35 When the owner of a registered vehicle transfers or

1 assigns ownership of the vehicle to another person, the
2 owner shall remove the registration plates from the
3 vehicle. The owner shall forward the plates to the
4 county treasurer where the vehicle is registered or the
5 owner may have the plates assigned to another vehicle
6 within thirty days after transfer, upon payment of the
7 fees required by law. The owner shall immediately
8 affix registration plates retained by the owner
9 to another vehicle owned or acquired by the owner,
10 providing the owner complies with [section 321.46](#).
11 The department shall adopt rules providing for the
12 assignment of registration plates to the transferee of
13 a vehicle for which a credit is allowed under section
14 321.46, subsection 6.

15 Sec. _____. Section 321.34, subsection 5, paragraph
16 a, Code 2016, is amended to read as follows:

17 a. Upon application and the payment of a fee of
18 twenty-five dollars, the director may issue to the
19 owner of a motor vehicle registered in this state or
20 a trailer or travel trailer registered in this state,
21 personalized registration plates marked with up to
22 seven initials, letters, or combination of numerals and
23 letters requested by the owner. However, personalized
24 registration plates for autocycles, motorcycles, and
25 motorized bicycles shall be marked with no more than
26 six initials, letters, or combinations of numerals and
27 letters. Upon receipt of the personalized registration
28 plates, the applicant shall surrender the regular
29 registration plates to the county treasurer. The fee
30 for issuance of the personalized registration plates
31 shall be in addition to the regular annual registration
32 fee.

33 Sec. _____. Section 321.34, subsection 8, paragraph
34 a, Code 2016, is amended to read as follows:

35 a. The owner of a motor vehicle subject to

1 registration under section 321.109, subsection
2 1, autocycle, motorcycle, trailer, or motor truck
3 who has been awarded the medal of honor may, upon
4 written application to the department, order special
5 registration plates which shall be red, white, and blue
6 in color and shall bear an emblem of the medal of honor
7 and an identifying number. Each applicant applying for
8 special registration plates under [this subsection](#) may
9 order only one set of registration plates under this
10 subsection. The application is subject to approval
11 by the department and the special registration plates
12 shall be issued at no charge to the applicant in
13 exchange for the registration plates previously issued
14 to the person. A person who is issued special plates
15 under [this subsection](#) is exempt from payment of any
16 annual registration fee for the motor vehicle bearing
17 the special plates. The department shall validate
18 the special plates in the same manner as regular
19 registration plates are validated under [this section](#).
20 The department shall not issue special registration
21 plates until service organizations in the state have
22 furnished the department either the special dies or the
23 cost of the special dies necessary for the manufacture
24 of the special registration plate.

25 Sec. _____. Section 321.34, subsection 8A, paragraph
26 a, Code 2016, is amended to read as follows:

27 a. The owner of a motor vehicle subject to
28 registration under [section 321.109, subsection 1,](#)
29 autocycle, motorcycle, trailer, or motor truck who was
30 a prisoner of war during a time of military conflict
31 may, upon written application to the department, order
32 only one set of special registration plates with an
33 ex-prisoner of war processed emblem. The emblem shall
34 be designed by the department in cooperation with the
35 adjutant general and shall signify that the owner was

1 a prisoner of war as described in [this subsection](#). The
2 application is subject to approval by the department,
3 in consultation with the adjutant general. The special
4 plates shall be issued at no charge and are subject to
5 an annual registration fee of fifteen dollars. The
6 county treasurer shall validate the special plates in
7 the same manner as regular registration plates are
8 validated under [this section](#).

9 Sec. _____. Section 321.34, subsection 11, paragraph
10 a, Code 2016, is amended to read as follows:

11 a. Upon application and payment of the proper fees,
12 the director may issue natural resources plates to the
13 owner of a motor vehicle subject to registration under
14 section 321.109, subsection 1, autocycle, motor truck,
15 motor home, multipurpose vehicle, motorcycle, trailer,
16 or travel trailer.

17 Sec. _____. Section 321.34, subsection 11A, paragraph
18 a, Code 2016, is amended to read as follows:

19 a. Upon application and payment of the proper fees,
20 the director may issue "love our kids" plates to the
21 owner of a motor vehicle subject to registration under
22 section 321.109, subsection 1, autocycle, motor truck,
23 motor home, multipurpose vehicle, motorcycle, trailer,
24 or travel trailer.

25 Sec. _____. Section 321.34, subsection 11B, paragraph
26 a, Code 2016, is amended to read as follows:

27 a. Upon application and payment of the proper fees,
28 the director may issue "motorcycle rider education"
29 plates to the owner of a motor vehicle subject to
30 registration under [section 321.109, subsection 1](#),
31 autocycle, motor truck, motor home, multipurpose
32 vehicle, motorcycle, trailer, or travel trailer.

33 Sec. _____. Section 321.34, subsection 12, paragraphs
34 a and d, Code 2016, are amended to read as follows:

35 a. The owner of a motor vehicle subject to

1 registration pursuant to section 321.109, subsection
2 1, autocycle, motor truck, motor home, multipurpose
3 vehicle, motorcycle, trailer, or travel trailer may,
4 upon written application to the department, order
5 special registration plates with a distinguishing
6 processed emblem as authorized by [this section](#) or as
7 approved by the department. The fee for the issuance
8 of special registration plates is twenty-five dollars
9 for each vehicle, unless otherwise provided by this
10 section, which fee is in addition to the regular annual
11 registration fee. The county treasurer shall validate
12 special registration plates with a distinguishing
13 processed emblem in the same manner as regular
14 registration plates, upon payment of five dollars in
15 addition to the regular annual registration fee.

16 *d.* A special registration plate issued for a
17 motorcycle, autocycle, or motorized bicycle under this
18 section shall be designated in the manner provided for
19 personalized registration plates under [subsection 5](#),
20 paragraph "a".

21 Sec. _____. Section 321.34, subsection 15, paragraph
22 a, Code 2016, is amended to read as follows:

23 *a.* The owner of a motor vehicle subject to
24 registration under [section 321.109, subsection 1](#),
25 autocycle, motorcycle, trailer, or motor truck who has
26 been awarded the legion of merit shall be issued one
27 set of special registration plates with a legion of
28 merit processed emblem, upon written application to
29 the department and presentation of satisfactory proof
30 of the award of the legion of merit as established by
31 the Congress of the United States. The emblem shall
32 be designed by the department in cooperation with the
33 adjutant general and shall signify that the owner
34 was awarded the legion of merit. The application is
35 subject to approval by the department, in consultation

1 with the adjutant general. The special plates shall
2 be issued at no charge and are subject to an annual
3 registration fee of fifteen dollars. The county
4 treasurer shall validate the special plates in the same
5 manner as regular registration plates are validated
6 under [this section](#).

7 Sec. _____. Section 321.37, subsections 1 and 2, Code
8 2016, are amended to read as follows:

9 1. Registration plates issued for a motor vehicle
10 other than a an autocycle, motorcycle, motorized
11 bicycle, or a truck tractor shall be attached to
12 the motor vehicle, one in the front and the other in
13 the rear. The registration plate issued for a an
14 autocycle, motorcycle, or other vehicle required to be
15 registered hereunder shall be attached to the rear of
16 the vehicle. The registration plate issued for a truck
17 tractor shall be attached to the front of the truck
18 tractor. The special plate issued to a dealer shall be
19 attached on the rear of the vehicle when operated on
20 the highways of this state.

21 2. Registration plates issued for a motor vehicle
22 which is model year 1948 or older, and reconstructed
23 or specially constructed vehicles built to resemble
24 a model year 1948 vehicle or older, other than a
25 truck registered for more than five tons, autocycle,
26 motorcycle, or truck tractor, may display one
27 registration plate on the rear of the vehicle if the
28 other registration plate issued to the vehicle is
29 carried in the vehicle at all times when the vehicle is
30 operated on a public highway.

31 Sec. _____. Section 321.69, subsection 9, Code 2016,
32 is amended to read as follows:

33 9. Except for [subsections 10 and 11](#), [this section](#)
34 does not apply to motor trucks and truck tractors with
35 a gross vehicle weight rating of sixteen thousand

1 pounds or more, vehicles more than seven model years
2 old, autocycles, motorcycles, motorized bicycles, and
3 special mobile equipment. This section does apply to
4 motor homes. The requirement in subsection 1 that
5 the new certificate of title and registration receipt
6 shall state on the face whether a prior owner had
7 disclosed that the vehicle was damaged to the extent
8 that it was a wrecked or salvage vehicle as defined
9 in section 321.52, subsection 4, paragraph "d", does
10 not apply to a vehicle with a certificate of title
11 bearing a designation that the vehicle was previously
12 titled on a salvage certificate of title pursuant to
13 section 321.52, subsection 4, paragraph "b", or to a
14 vehicle with a certificate of title bearing a "REBUILT"
15 or "SALVAGE" designation pursuant to section 321.24,
16 subsection 4 or 5. Except for subsections 10 and 11,
17 this section does not apply to new motor vehicles
18 with a true mileage, as defined in section 321.71, of
19 one thousand miles or less, unless such vehicle has
20 incurred damage as described in subsection 2.

21 Sec. _____. Section 321.105A, subsection 2, paragraph
22 c, subparagraph (6), Code 2016, is amended to read as
23 follows:

24 (6) Vehicles, excluding autocycles, motorcycles,
25 and motorized bicycles, subject to registration in
26 any state when purchased for rental or registered and
27 titled by a motor vehicle dealer licensed pursuant to
28 chapter 322 for rental use, and held for rental for a
29 period of one hundred twenty days or more and actually
30 rented for periods of sixty days or less by a person
31 regularly engaged in the business of renting vehicles,
32 including but not limited to motor vehicle dealers
33 licensed pursuant to chapter 322 who rent automobiles
34 to users, if the rental of the vehicles is subject to
35 taxation under section 423.2 or chapter 423C.

1 Sec. ____ . Section 321.109, subsection 1, paragraph
2 a, Code 2016, is amended to read as follows:
3 a. The annual fee for all motor vehicles including
4 vehicles designated by manufacturers as station
5 wagons, 1993 and subsequent model year multipurpose
6 vehicles, and 2010 and subsequent model year motor
7 trucks with an unladen weight of ten thousand pounds
8 or less, except motor trucks registered under section
9 321.122, business-trade trucks, special trucks, motor
10 homes, motorsports recreational vehicles, ambulances,
11 hearses, autocycles, motorcycles, motorized bicycles,
12 and 1992 and older model year multipurpose vehicles,
13 shall be equal to one percent of the value as fixed by
14 the department plus forty cents for each one hundred
15 pounds or fraction thereof of weight of vehicle,
16 as fixed by the department. The weight of a motor
17 vehicle, fixed by the department for registration
18 purposes, shall include the weight of a battery,
19 heater, bumpers, spare tire, and wheel. Provided,
20 however, that for any new vehicle purchased in this
21 state by a nonresident for removal to the nonresident's
22 state of residence the purchaser may make application
23 to the county treasurer in the county of purchase for
24 a transit plate for which a fee of ten dollars shall
25 be paid. And provided, however, that for any used
26 vehicle held by a registered dealer and not currently
27 registered in this state, or for any vehicle held
28 by an individual and currently registered in this
29 state, when purchased in this state by a nonresident
30 for removal to the nonresident's state of residence,
31 the purchaser may make application to the county
32 treasurer in the county of purchase for a transit
33 plate for which a fee of three dollars shall be paid.
34 The county treasurer shall issue a nontransferable
35 certificate of registration for which no refund shall

1 be allowed; and the transit plates shall be void thirty
2 days after issuance. Such purchaser may apply for a
3 certificate of title by surrendering the manufacturer's
4 or importer's certificate or certificate of title,
5 duly assigned as provided in [this chapter](#). In this
6 event, the treasurer in the county of purchase shall,
7 when satisfied with the genuineness and regularity of
8 the application, and upon payment of a fee of twenty
9 dollars, issue a certificate of title in the name and
10 address of the nonresident purchaser delivering the
11 title to the owner. If there is a security interest
12 noted on the title, the county treasurer shall mail to
13 the secured party an acknowledgment of the notation
14 of the security interest. The county treasurer shall
15 not release a security interest that has been noted on
16 a title issued to a nonresident purchaser as provided
17 in this paragraph. The application requirements of
18 section 321.20 apply to a title issued as provided
19 in [this subsection](#), except that a natural person
20 who applies for a certificate of title shall provide
21 either the person's social security number, passport
22 number, or driver's license number, whether the license
23 was issued by this state, another state, or another
24 country. The provisions of [this subsection](#) relating to
25 multipurpose vehicles are effective for all 1993 and
26 subsequent model years. The annual registration fee
27 for multipurpose vehicles that are 1992 model years and
28 older shall be in accordance with [section 321.124](#).

29 Sec. _____. Section 321.117, Code 2016, is amended to
30 read as follows:

31 **321.117 Motorcycle, autocycle, ambulance, and hearse**
32 **fees.**

33 For all motorcycles and autocycles the annual
34 registration fee shall be twenty dollars. For all
35 motorized bicycles the annual registration fee shall

1 be seven dollars. When the motorcycle or autocyycle is
2 more than five model years old, the annual registration
3 fee shall be ten dollars. The annual registration fee
4 for ambulances and hearses shall be fifty dollars.
5 Passenger car plates shall be issued for ambulances and
6 hearses.

7 Sec. _____. Section 321.166, subsections 1, 3, and 4,
8 Code 2016, are amended to read as follows:

9 1. a. Registration plates shall be of metal and
10 of a size not to exceed six inches by twelve inches,
11 except that the size of plates issued for use on
12 autocycles, motorized bicycles, motorcycles, motorcycle
13 trailers, and trailers with an empty weight of two
14 thousand pounds or less shall be established by the
15 department.

16 b. Trailers with empty weights of two thousand
17 pounds or less may, upon request, be licensed with
18 regular-sized license plates.

19 3. The registration plate number shall be displayed
20 in characters which shall not exceed a height of four
21 inches nor a stroke width exceeding five-eighths of an
22 inch. Special plates issued to dealers shall display
23 the alphabetical character "D", which shall be of the
24 same size as the characters in the registration plate.
25 The registration plate number issued for autocycles,
26 motorized bicycles, motorcycles, trailers with an empty
27 weight of two thousand pounds or less, and motorcycle
28 trailers shall be a size prescribed by the department.

29 4. The registration plate number, except on
30 autocycles, motorized bicycles, motorcycles, motorcycle
31 trailers, and trailers with an empty weight of two
32 thousand pounds or less, shall be of sufficient size to
33 be readable from a distance of one hundred feet during
34 daylight.

35 Sec. _____. Section 322.2, Code 2016, is amended by

1 adding the following new subsection:

2 NEW SUBSECTION. 1A. "Autocycle" means as defined
3 in section 321.1.

4 Sec. _____. Section 322.5, subsection 6, paragraph a,
5 unnumbered paragraph 1, Code 2016, is amended to read
6 as follows:

7 Upon application for and receipt of a temporary
8 permit issued by the department under this subsection,
9 a motor vehicle dealer authorized to sell used
10 motorcycles or autocycles may display, offer for sale,
11 and negotiate sales of used motorcycles or autocycles
12 at a motorcycle rally located in this state that meets
13 all of the following conditions:

14 Sec. _____. Section 322.5, subsection 6, paragraph
15 b, subparagraph (1), Code 2016, is amended to read as
16 follows:

17 (1) The person presents the department with a
18 current motor vehicle dealer license valid for the sale
19 of used motorcycles or autocycles at retail in the
20 person's state of residence.

21 Sec. _____. Section 322.5, subsection 6, paragraph d,
22 Code 2016, is amended to read as follows:

23 d. A sale of a motorcycle or autocycle at a
24 motorcycle rally shall not be completed and an
25 agreement for the sale of a motorcycle or autocycle
26 shall not be signed at a motorcycle rally. All
27 such sales shall be consummated at the motor vehicle
28 dealer's principal place of business.

29 Sec. _____. Section 322.36, Code 2016, is amended to
30 read as follows:

31 **322.36 Motorcycle and autocycle dealer business**
32 **hours.**

33 A person in the business of selling motorcycles
34 or autocycles under chapter 322D is not required
35 to maintain regular business hours at the dealer's

1 principal place of business or other place of business.

2 Sec. _____. Section 322D.1, subsection 2, Code 2016,
3 is amended to read as follows:

4 2. "*Attachment*" means a machine or part of a
5 machine designed to be used on and in conjunction with
6 a farm implement, motorcycle, autocycle, all-terrain
7 vehicle, or snowmobile.

8 Sec. _____. Section 322D.1, Code 2016, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 2A. "*Autocycle*" means as defined
11 in section 321.1.

12 Sec. _____. Section 322D.1, subsection 4, paragraphs
13 b and e, Code 2016, are amended to read as follows:

14 b. The franchisee is granted the right to offer
15 and sell farm implements, motorcycles, autocycles,
16 all-terrain vehicles, snowmobiles, or related parts
17 or attachments manufactured or distributed by the
18 franchiser.

19 e. The operation of the franchisee's business
20 is substantially reliant on the franchiser for the
21 continued supply of farm implements, motorcycles,
22 autocycles, all-terrain vehicles, snowmobiles, or
23 related parts or attachments.

24 Sec. _____. Section 322D.1, subsections 5, 6, and 7,
25 Code 2016, are amended to read as follows:

26 5. "*Franchisee*" means a person who receives farm
27 implements, motorcycles, autocycles, all-terrain
28 vehicles, snowmobiles, or related parts or attachments
29 from the franchiser under a franchise and who offers
30 and sells the farm implements, motorcycles, autocycles,
31 all-terrain vehicles, snowmobiles, or related parts or
32 attachments to the general public.

33 6. "*Franchiser*" means a person who manufactures,
34 wholesales, or distributes farm implements,
35 motorcycles, autocycles, all-terrain vehicles,

1 snowmobiles, or related parts or attachments, and who
2 enters into a franchise.

3 7. "Motorcycle" means a motor vehicle as defined
4 in [section 321.1](#) other than an all-terrain vehicle,
5 which has a saddle or seat for the use of a rider and
6 that is designed to travel on not more than two wheels
7 in contact with the ground, but excluding a motorized
8 bicycle or autocycle as defined in [section 321.1](#).

9 Sec. ____ . Section 322D.2, Code 2016, is amended to
10 read as follows:

11 **322D.2 Franchisee's rights to payment.**

12 1. A franchisee who enters into a written
13 franchise with a franchiser to maintain a stock of
14 farm implements, motorcycles, autocycles, all-terrain
15 vehicles, snowmobiles, or related parts or attachments
16 has the following rights to payment, at the option of
17 the franchisee, if the franchise is terminated:

18 a. One hundred percent of the net cost of new,
19 unused, complete farm implements, motorcycles,
20 autocycles, all-terrain vehicles, snowmobiles, or
21 related attachments, which were purchased from the
22 franchiser. In addition, the franchisee shall have
23 a right of payment for transportation charges on the
24 farm implements, motorcycles, autocycles, all-terrain
25 vehicles, or snowmobiles, which have been paid by the
26 franchisee.

27 b. Eighty-five percent of the net prices of any
28 repair parts, including superseded parts, which
29 were purchased from the franchiser and held by the
30 franchisee on the date that the franchise terminated.

31 c. Five percent of the net prices of parts resold
32 under paragraph "b" for handling, packing, and loading
33 of the parts. However, this payment shall not be due
34 to the franchisee if the franchiser elects to perform
35 the handling, packing, and loading.

1 2. Upon receipt of the payments due under
2 subsection 1, the franchiser is entitled to possession
3 of and title to the farm implements, motorcycles,
4 autocycles, all-terrain vehicles, snowmobiles, or
5 related parts or attachments.

6 3. The cost of farm implements, motorcycles,
7 autocycles, all-terrain vehicles, snowmobiles, or
8 related attachments and the price of repair parts shall
9 be determined by reference to the franchiser's price
10 list or catalog in effect at the time of the franchise
11 termination.

12 Sec. _____. Section 322D.3, subsections 7 and 9, Code
13 2016, are amended to read as follows:

14 7. A farm implement, motorcycle, autocycle,
15 all-terrain vehicle, or snowmobile which is not in new,
16 unused, undamaged, or complete condition.

17 9. A farm implement, motorcycle, autocycle,
18 all-terrain vehicle, or snowmobile which was purchased
19 twenty-four months or more prior to the termination of
20 the franchise.

21 Sec. _____. Section 322D.8, Code 2016, is amended to
22 read as follows:

23 **322D.8 Application — motorcycle or autocycle**
24 **franchise agreements.**

25 The rights under [section 322D.2, subsection 1](#),
26 apply to motorcycle or autocycle franchise agreements
27 in effect on July 1, 1985, which have no expiration
28 date and are continuing agreements, and to those
29 entered into or renewed after July 1, 1985, but only to
30 motorcycles, autocycles, and motorcycle or autocycle
31 attachments and parts purchased after July 1, 1985.

32 Sec. _____. Section 322G.2, subsection 13, Code 2016,
33 is amended to read as follows:

34 13. "Motor vehicle" means a self-propelled vehicle
35 purchased or leased in this state, except as provided

1 in [section 322G.15](#), and primarily designed for the
2 transportation of persons or property over public
3 streets and highways, but does not include mopeds,
4 motorcycles, autocycles, motor homes, or vehicles over
5 fifteen thousand pounds gross vehicle weight rating.>

6 2. Page 8, by striking lines 25 through 34 and
7 inserting:

8 <Sec. _____. Section 321.194, Code 2016, is amended
9 to read as follows:

10 **321.194 Special minors' licenses.**

11 1. ~~Driver's license issued for travel to and from~~
12 ~~school~~ Persons eligible. Upon certification of a
13 special need by the school board, superintendent of
14 the applicant's school, or principal, if authorized by
15 the superintendent, the department may issue a class
16 C or M driver's license to a person between the ages
17 of fourteen and eighteen years ~~whose~~ if all of the
18 following apply:

19 a. The person's driving privileges have not been
20 suspended, revoked, or barred under [this chapter](#) or
21 chapter 321J during, and ~~who~~ the person has not been
22 convicted of a moving traffic violation or involved
23 in a motor vehicle accident for, the six-month period
24 immediately preceding the application for the special
25 minor's license ~~and who~~.

26 b. The person has successfully completed an
27 approved driver education course. However, the
28 completion of a course is not required if the applicant
29 demonstrates to the satisfaction of the department
30 that completion of the course would impose a hardship
31 upon the applicant. The department shall adopt rules
32 defining the term "*hardship*" and establish procedures
33 for the demonstration and determination of when
34 completion of the course would impose a hardship upon
35 an applicant.

1 2. Driving privileges.

2 a. Permitted operations. The driver's license
3 entitles the holder, while having the license in
4 immediate possession, to operate a motor vehicle other
5 than a commercial motor vehicle or as a chauffeur:

6 (1) During the hours of 5:00 a.m. to 10:00 p.m.
7 over the most direct and accessible route between the
8 licensee's residence and schools of enrollment or
9 the closest school bus stop or public transportation
10 service, and between schools of enrollment, for
11 the purpose of attending duly scheduled courses of
12 instruction and extracurricular activities within the
13 school district of enrollment.

14 (2) During the hours of 5:00 a.m. to 10:00 p.m.
15 over the most direct and accessible route between the
16 licensee's residence or school of enrollment and a
17 site, facility, or school that is not the student's
18 licensee's school of enrollment for the purpose of
19 participating in extracurricular activities conducted
20 under a sharing agreement with the student's licensee's
21 school of enrollment or conducted at a site or facility
22 designated by the licensee's school district for
23 the accommodation of the school's extracurricular
24 activities, provided the site, facility, or school is
25 within the licensee's school district of enrollment
26 or is within a school district contiguous to the
27 licensee's school district of enrollment.

28 (3) To a service station for the purpose of
29 refueling, so long as the service station is the
30 station closest to the route the licensee is traveling
31 on under subparagraph (1) or (2).

32 (4) At any time when the licensee is accompanied in
33 accordance with [section 321.180B, subsection 1.](#)

34 b. Restrictions.

35 (1) Passengers. Unless accompanied in accordance

1 with [section 321.180B, subsection 1](#), a person issued
2 a driver's license pursuant to [this section](#) must
3 limit the number of unrelated minor passengers in
4 the motor vehicle when the licensee is operating the
5 motor vehicle to one. For purposes of [this section](#),
6 "unrelated minor passenger" means a passenger who is
7 under eighteen years of age and who is not a sibling of
8 the driver, a stepsibling of the driver, or a child who
9 resides in the same household as the driver.

10 (2) *Electronic communication devices.* A person
11 issued a driver's license under this section shall not
12 use an electronic communication device or an electronic
13 entertainment device while driving a motor vehicle
14 unless the motor vehicle is at a complete stop off the
15 traveled portion of the roadway. This subparagraph
16 does not apply to the use of electronic equipment which
17 is permanently installed in the motor vehicle or to a
18 portable device which is operated through permanently
19 installed equipment. The department, in cooperation
20 with the department of public safety, shall establish
21 educational programs to foster compliance with the
22 requirements of this subparagraph.

23 *e. 3. Certification of need and issuance of*
24 *license.* Each application shall be accompanied by
25 a statement from the school board, superintendent,
26 or principal, if authorized by the superintendent,
27 of the applicant's school. The statement shall be
28 upon a form provided by the department. The school
29 board, superintendent, or principal, if authorized by
30 the superintendent, shall certify that a need exists
31 for the license and that the board, superintendent,
32 or principal authorized by the superintendent is not
33 responsible for actions of the applicant which pertain
34 to the use of the driver's license. Upon receipt of a
35 statement of necessity, the department shall issue the

1 driver's license provided the applicant is otherwise
2 eligible for issuance of the license. The fact that
3 the applicant resides at a distance less than one mile
4 from the applicant's school of enrollment is prima
5 facie evidence of the nonexistence of necessity for
6 the issuance of a license. The school board shall
7 develop and adopt a policy establishing the criteria
8 that shall be used by a school district administrator
9 to approve or deny certification that a need exists for
10 a license. The student may appeal to the school board
11 the decision of a school district administrator to
12 deny certification. The decision of the school board
13 is final. The driver's license shall not be issued
14 for purposes of attending a public school in a school
15 district other than either of the following:

16 (1) a. The district of residence of the parent or
17 guardian of the student.

18 (2) b. A district which is contiguous to the
19 district of residence of the parent or guardian of
20 the student, if the student is enrolled in the public
21 school which is not the school district of residence
22 because of open enrollment under [section 282.18](#) or as
23 a result of an election by the student's district of
24 residence to enter into one or more sharing agreements
25 pursuant to the procedures in [chapter 282](#).

26 ~~d. (1) A person issued a driver's license under~~
27 ~~this section shall not use an electronic communication~~
28 ~~device or an electronic entertainment device while~~
29 ~~driving a motor vehicle unless the motor vehicle is~~
30 ~~at a complete stop off the traveled portion of the~~
31 ~~roadway. This subparagraph does not apply to the use~~
32 ~~of electronic equipment which is permanently installed~~
33 ~~in the motor vehicle or to a portable device which is~~
34 ~~operated through permanently installed equipment.~~

35 (2) ~~The department, in cooperation with the~~

1 ~~department of public safety, shall establish~~
2 ~~educational programs to foster compliance with the~~
3 ~~requirements of subparagraph (1).~~

4 ~~2.~~ 4. *Suspension and revocation.* A driver's
5 license issued under [this section](#) is subject to
6 suspension or revocation for the same reasons and
7 in the same manner as suspension or revocation of
8 any other driver's license. The department may also
9 suspend a driver's license issued under [this section](#)
10 upon receiving satisfactory evidence that the licensee
11 has violated the restrictions of the license or has
12 been involved in one or more accidents chargeable to
13 the licensee. The department may suspend a driver's
14 license issued under [this section](#) upon receiving a
15 record of the licensee's conviction for one violation.
16 The department shall revoke the license upon receiving
17 a record of conviction for two or more violations of a
18 law of this state or a city ordinance regulating the
19 operation of motor vehicles on highways other than
20 parking violations as defined in [section 321.210](#).
21 After a person licensed under [this section](#) receives two
22 or more convictions which require revocation of the
23 person's license under [this section](#), the department
24 shall not grant an application for a new driver's
25 license until the expiration of thirty days.

26 ~~3.~~ 5. *Citations for violation of restrictions.* A
27 person who violates the restrictions imposed under
28 subsection ~~1~~, paragraph "~~a~~" or "~~d~~", 2 may be issued a
29 citation under [this section](#) and shall not be issued a
30 citation under [section 321.193](#). A violation of the
31 restrictions imposed under subsection ~~1~~, paragraph "~~a~~"
32 or "~~d~~", 2 shall not be considered a moving violation.

33 Sec. _____. Section 321.482A, unnumbered paragraph 1,
34 Code 2016, is amended to read as follows:

35 Notwithstanding [section 321.482](#), a person who is

1 convicted of operating a motor vehicle in violation
2 of [section 321.178, subsection 2](#), paragraph "a",
3 subparagraph (2), [section 321.180B, subsection 6](#),
4 [section 321.194, subsection 2](#), paragraph "a" "b",
5 [subparagraph \(2\), section 321.256, section 321.257](#),
6 [section 321.275, subsection 4, section 321.276](#),
7 [321.297, 321.298, 321.299, 321.302, 321.303, 321.304](#),
8 [321.305, 321.306, 321.307, 321.308](#), [section 321.309](#),
9 [subsection 2, or section 321.311, 321.319, 321.320](#),
10 [321.321, 321.322, 321.323, 321.324, 321.324A, 321.327](#),
11 [321.329, 321.333](#), or [321.372, subsection 3](#), causing
12 serious injury to or the death of another person may be
13 subject to the following penalties in addition to the
14 penalty provided for a scheduled violation in section
15 805.8A or any other penalty provided by law:>
16 3. By renumbering as necessary.

TOD R. BOWMAN